

**AGENDA
JANUARY 4, 2011 - 6:00 P.M.
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING**

OPEN MEETING:

SALUTE TO THE FLAG:

ANNOUNCEMENTS:

PUBLIC HEARING(S)

PLEASE TAKE NOTICE: That a public hearing of the Board of Trustees of the Village of Northport will be held on January 5, 2010 at 6:00 PM in the Northport Village Hall 224 Main Street to consider the 2010-2011 tentative budget.

PUBLIC PARTICIPATION:

BOARD APPROVAL OF WARRANT:

Fiscal Year 2009/2010 General Fund bills in the amount of \$ 18,013.35

TREASURER REPORT:

COMMISSIONER REPORTS:

CHIEF OF POLICE REPORT:

SUPERINTENDENT REPORT:

NEW BUSINESS:

OLD BUSINESS:

REQUESTS:

CORRESPONDENCE:

RESOLUTIONS:

RESOLUTION 2011– 1 ~ APPROVAL OF THE DECEMBER 21, 2010 MINUTES

WHEREAS: Copies of the minutes of the December 21, 2010, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

RESOLUTION 2011 - 2 ~ APPROVAL OF 2011 -2012 BUDGET

WHEREAS: The Board of Trustees has met at the time and place specified in the notice of hearing on the tentative budget and heard all persons desiring to be heard therefore,

BE IT RESOLVED: That the tentative budget for the fiscal year March 1, 2011 to February 28, 2012, as hereinafter set forth is hereby adopted and,

BE IT FURTHER RESOLVED: That there is hereby levied a tax of \$9,849,060. for said fiscal year, to which said budget is applicable upon the last completed assessment roll, and,

BE IT FURTHER RESOLVED: That the Village Clerk is authorized to extend and carry out upon the tax roll the amount to be collected from each of the persons named thereon.

RESOLUTION 2011-3 ~ RE-SCHEDULE OF PUBLIC HEARING ON PROPOSE LOCAL LAW A OF 2011

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 11th day of January, 2011 to consider the following proposed local law:

**PROPOSED LOCAL LAW “A” OF 2011
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER
239-29, SEWER RENTS OF THE CODE OF
THE INCORPORATED VILLAGE OF NORTHPORT**

BE IT ENACTED: By the Board of Trustees of the Village of Northport as follows:

Section 1. Legislative Intent

The Board of Trustees finds that amending the Code of the Village to allow the Board of Trustees the flexibility to set the dates by which Sewer Rent bills may be rendered and on which payment is due will allow for greater efficiency and accuracy in billing and collection.

Section 2. Statutory Authority and Supersession

This Local Law is adopted pursuant to New York State Village Law, Municipal Home Rule Law, Article 14-F of the New York State General Municipal Law and the State Environmental Quality Review Act and its implementing regulations and expressly supersedes inconsistent provisions of the Village Code.

Section 3. Applicability

The provisions of this Local Law shall apply as set forth in the amendments.

Section 4. Amendments

The code of the Incorporated Village of Northport shall be amended as follows:

Explanation of notations:

Existing zoning text is reproduced in regular type

Text to be added is indicated in *italics*.

Text to be deleted is indicated in with a ~~Strikethrough~~.

* * * Existing text to remain-

* * *

§239-37 Calculations; Bills and Payments; Penalty for late payment; Liens and collection.

A. The sewer rents shall be billed annually on the first of October of each *fiscal* year.

B. Bills and payments.

- (1) Residential: Bills for the sewer rent will be mailed to the residential owners of all Village sewer connections on an annual basis.
- (2) Commercial: Bills for the sewer rent will be mailed to the commercial owners of all Village sewer connections on an annual basis.
- (3) All bills shall be due and payable without penalty within thirty (30) days of rendering.

C. A penalty will be levied against the unpaid sewer rents and shall be added to the delinquent amount.

- (1) One and one-half percent charge per month on sewer rent bill, beginning thirty-one (31) days after the date of the bill. The penalty shall be added for each succeeding month or any portion of a month in which the sewer rent is not paid.
- (2) Notwithstanding the foregoing, for good cause shown the Board of Trustees may waive or reduce the penalty for the late payment of 2010-2011 sewer rents, provided payment is made no later than December 1, 2010.

D. Liens and collections.

- (1) In accordance with New York State General Municipal Law Section 452, unpaid sewer rents, penalties and interest shall become a lien upon the real property.
- (2) Delinquent accounts shall be collected in a manner provided for in the General Municipal Law and this article.

E. The Board of Trustees may by resolution change the dates specified herein on which the sewer rents are billed and due and when penalties for late payment start to accrue provided that the bills for each fiscal year must be rendered no later than January 20 of the fiscal year in which they are due.

* * *

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 6. SEQRA

The Board of Trustees has determined that pursuant to §617.5(c) 20 and 27 of the SEQRA regulations this action of the Village of Northport is "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "adoption of regulations, policies, procedures and local legislative decisions in connection with any Type II action . . ." and therefore, the proposed action of the Village of Northport in this matter is a Type II action and requires no further action pursuant to SEQRA.

Section 7. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

RESOLUTION 2011- 4 ~ AUTHORIZING THE ITEMS LISTED BELOW PURSUANT TO THE BOND ACTS ENACTED IN 1965, 1972 AND 1996 AND THE ENVIRONMENTAL PROTECTION FUND, AS WELL AS FEDERAL GRANT AWARDS AVAILABLE FOR SUCH PROJECTS.

WHEREAS, the Incorporated Village of Northport, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES

1. That George Doll, Mayor, or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project Documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation;
4. That this Resolution takes effect immediately.

RESOLUTION 2011 – 5 ~ ENGINEERING SERVICES

BE IT RESOLVED: Gannett Fleming Engineers P.C. is hereby retained to provide assistance to the Village by Preparation of SEQR Process Documents required for the WWTP Phase II SEQR process including completing part 2 and 3 of the full EAF [Environmental Assessment Form] and preparing a Request for

Consultation per proposal dated December 20, 2010 in an amount not to exceed \$3,100.00

RESOLUTION 2011 – 6~ ENGINEERING SERVICES

BE IT RESOLVED: Gannett Fleming Engineers P.C. is hereby retained to provide assistance to the Village by Coordination and attending meeting with the DEC to discuss compliance with the 2014 Permit limit and if necessary, participate in conference call with the EFC and Village to discuss project financing per proposal dated December 20, 2010 in an amount not to exceed \$1,500.00

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

The next regular meeting of the Board of Trustees will be Tuesday January 18th at 6:00 PM, Northport Village Hall 224 main Street Northport, NY 11768

Respectfully submitted,

Donna M. Koch,
Village Clerk